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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA,	)	No. CR 14 – 0567 RMW
	)	
Plaintiff,	)	STIPULATION AND [] ORDER
	)	
v.	)	SAN JOSE VENUE
	)	
ROBERT GARY TOLTZIS,	)	
	)	
Defendant.	)	
	)	
	)	
	)	
	)	

WHEREAS, the Court has set a status and setting hearing for Monday, March 30, 2014, at 9:00 a.m. before the Honorable Ronald M. Whyte;

WHEREAS, the defense is continuing to investigate the matters alleged in the Indictment in order to effectively prepare;

WHEREAS, the parties believe that a short continuance of three weeks will allow the parties sufficient time to assess the time needed for additional discovery and investigation relative to the setting of dates for any motions as well as a trial of this action;

WHEREAS, the parties understand that Monday, April 20, 2014, at 9:00 a.m. is an available date

STIPULATION AND [] ORDER

on this Court's calendar;

THEREFORE, the parties mutually request and stipulate that the status and setting hearing in this matter be continued to Monday, April 20, 2015, at 9:00 a.m., and further jointly stipulate and agree that time should be excluded from March 30, 2015, up to and including April 20, 2015. The parties agree that excluding time until April 20, 2015, is necessary, given the need for effective preparation of counsel. The parties also agree that failing to grant a continuance would deny counsel for the defense the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7). Finally, the parties agree that the ends of justice served by excluding time from March 30, 2015, until April 20, 2014, outweigh the best interest of the public and the defendant in a speedy trial. *Id.*

**IT IS SO STIPULATED.**

DATED: March 27, 2015

Respectfully submitted,

MELINDA HAAG  
United States Attorney

/s/  
TIMOTHY J. LUCEY  
Assistant United States Attorney

DATED: March 27, 2015

Respectfully submitted,

/s/  
RICHARD POINTER  
ALBIE JACHIMOWICZ  
Attorneys for Defendant  
RICHARD GARY TOLTZIS

**IT IS SO ORDERED.**

DATED: 3/27/15

  
HON. RONALD M. WHYTE  
United States District Court